

Local Form 4A

December 2017

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re:) Case No. 18-31372
)
Christopher Lee Mullis) Chapter 13
TIN: xxx-xx-2311)
Debtor(s))

AMENDMENT TO CHAPTER 13 PLAN
AND NOTICE OF OPPORTUNITY FOR HEARING ON CONFIRMATION OF THE PLAN
FOR CASES FILED ON OR AFTER DECEMBER 1, 2017

Check if applicable to this plan amendment:

1.1	A limit on the amount of a secured claim that may result in a partial payment or no payment at all to the secured creditor (Part 3.2)	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest (Part 3.4)	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.3	Request for termination of the 11 U.S.C. § 362 stay as to surrendered collateral (Part 3.5)	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
1.4	Request for assumption of executory contracts and/or unexpired leases (Part 6)	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.5	Nonstandard provisions	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included

The Chapter 13 Plan, including certain motions and other provisions, is hereby **amended** as follows:

- 1) Plan is amended to provide for the surrender of the debtor's interest in a 2015 Honda Fourtrax Recon ATV. Debtor had previously wanted to retain the collateral secured by Model Finance Company.
- 2) Plan is rednced from \$790.00 per month to \$740.00 per month for a 1% composition plan.
- 3) All other provisions in the proposed plans filed on June 4, 2018 are still in effect and unchanged by this proposed plan amendment.

2.1 Debtor will make regular payments to the Chapter 13 Trustee as follows:

\$ _____ per _____ for _____ months

\$ _____ per _____ for _____ months

Or

\$ \$740.00 per Month for a 1% percentage composition to be paid to general unsecured creditors

3.5 Surrender of collateral.

Check one.

- ☐ None. If "None" is checked, the rest of Part 3.5 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this Plan is checked.

- ☒ The Debtor elects to surrender to each creditor listed below the collateral that secures the creditor's claim. The Debtor requests that, upon confirmation of this Plan, the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that

the stay under 11 U.S.C. § 1301 be terminated in all respects. (Notice to the Co-Debtor is required to terminate the § 1301 co-debtor stay.) Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 5 of this Plan below.

Name of creditor	Collateral	Claim Amount
Model Finance Company	2105 Honda Fourtrax ATV	\$2,562.00

Insert additional claims as needed.

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to confirm the Debtor's proposed Plan as amended, or if you want the Court to consider your views on these matters, then you and/or your attorney must file a written objection to confirmation and request for hearing on confirmation at one of the following addresses:

Cases filed in the Charlotte or Shelby Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Statesville Division:

Physical Address: Clerk, U.S. Bankruptcy Court, 200 West Broad Street, Room 301, Statesville, N.C. 28677

Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Room 111, Charlotte, N.C. 28202

Cases filed in the Asheville or Bryson City Divisions:

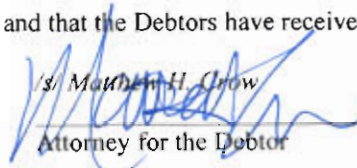
Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 100 Otis Street, Room 112, Asheville, N.C. 28801-2611

Your objection to confirmation and request for hearing must include the specific reasons for your objection and must be filed with the Court no later than 21 days following the conclusion of the § 341 meeting of creditors, or within 21 days of service of the amendment, whichever is later. If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the Debtor at the address listed in the notice of the meeting of creditors. The Debtor's attorney and the Chapter 13 Trustee will be served electronically. If any objections to confirmation are filed with the Court, the objecting party will provide written notice of the date, time, and location of the hearing. **No hearing will be held unless an objection to confirmation is filed.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the Debtor as amended and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed pursuant to 11 U.S.C. § 1325(a)(5)(A).**

I hereby certify that I have reviewed this document with the Debtors and that the Debtors have received a copy of this document.

11/6/18
Dated _____



Attorney for the Debtor

CERTIFICATE OF SERVICE

This is to certify that I have on **November 6, 2018** served each party or counsel of record indicated on the list attached hereto in the foregoing matter with a copy of this Chapter 13 Amended Plan by depositing in the United States mail a copy of same in a properly addressed envelope with first class postage thereon. Attorneys were served electronically

This the 6th day of November 2018.


/s/ Matthew H. Crow

Matthew H. Crow, Crow Law Firm
315-B North Main Street, Monroe, NC 28112
704-283-1175 (Phone) 704-226-0488 (Fax)
N.C. State Bar No. 26117

Model Finance Co.
c/o Capital Recovery Group
PO Box 64090
Tucson, AZ 85728

Mr. Christopher Mullis
(via email delivery)

ALL INTERESTED PARTIES
ON ATTACHED MATRIX

Document

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Label Matrix for local noticing
0419-3
Case 18-31372
Western District of North Carolina
Charlotte
Tue Nov 6 15:45:08 EST 2018

Charlotte Division
401 West Trade Street
Charlotte, NC 28202-1633

Ally Financial
PO Box 130424
Roseville, MN 55113-0004

Ally Financial
PO Box 380901
Bloomington, MN 55438-0901

Bank of America Leasing Capital
555 California St Fl 4
San Francisco, CA 94104-1506

Capital One
PO Box 71083
Charlotte, NC 28272-1083

Capital One Bank (USA), N.A.
PO Box 71083
Charlotte, NC 28272-1083

Credit One Bank
PO Box 98873
Las Vegas, NV 89193-8873

First Premier Bank
P. O. Box 5524
Sioux Falls, SD 57117-5524

Flowers Bakery
801 W. Main Street
Jamestown, NC 27282-9562

Internal Revenue Service
Centralized Insolvency
PO Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service
P.O. Box 7317
Philadelphia, PA 19101-7317

Model Finance Co. c/o Capital Recovery Group
PO Box 64090
Tucson, AZ 85728-4090

Model Finance Company
PO Box 5825
Orange, CA 92863-5825

NC Dept. of Revenue
Bankruptcy Unit
PO Box 1168
Raleigh, NC 27602-1168

North Carolina Department of Revenue
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Novant Health
RCS Whitehall
PO Box 30143
Charlotte, NC 28230-0143

OneMain Financial
PO Box 3251
Evansville, IN 47731-3251

Santander Consumer USA
P.O. Box 560284
Dallas, TX 75356-0284

Stanly County Tax Collector
201 South Second St.
Albemarle, NC 28001-5720

(p)TRULIANT FEDERAL CREDIT UNION
P O BOX 25132
WINSTON SALEM NC 27114-5132

Christopher Lee Mullis
404 Danita Drive
Locust, NC 28097-9430

Matthew B. Crow
The Crow Law Firm
315-B North Main Street
Monroe, NC 28112-4727

Warren L. Tadlock
3970 Fairview Road, Suite 650
Charlotte, NC 28210-2100

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Truliant Federal Credit Union
PO Box 26000
Winston Salem, NC 27114-6000